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Page 1 of 22

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From:
Michael Proksch
Sr. Patent Counsel
Intel Corp.

Fax:
(503) 264-1729

M/S:
JF3-147

Application No.: 09/741,208
Filed: December 19, 2000
Art Unit: 2876
Examiner: D. Hess

Attorney Docket No.
42390.P10397

A CONFIRMATION COPY OF THIS DOCUMENT: WILL NOT BE SENT

Included in this transmission:

- Facsimilar Cover Sheet
- 1) Transmittal Form (1 page)
- 2) Fee Transmittal FY 2004 (1 page in duplicate)
- 3) Petition to Revive an Unintentionally Abandoned App. under 37 CFR 1.137(b) (2 pgs)
- 4) Request for RCE Transmittal (1 page)
- 5) Preliminary Amendment (15 pages)

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PTO/SB/21 (02-04)

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**TRANSMITTAL
FORM**

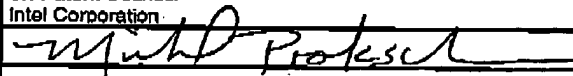
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	08,741,208	
	Filing Date	December 18, 2000	
	First Named Inventor	David P. Henzerling	
	Art Unit	2876	
	Examiner Name	D. Hess	
Total Number of Pages in This Submission	22	Attorney Docket Number	P10397

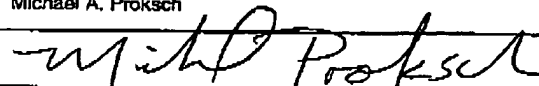
ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg in dup.) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (15 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Re-examine (2 pages) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Request for Continued Examination (1 page) Facsimile Transmission (1 pg.)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael A. Proksch, Reg. No. 43,021 Sr. Patent Counsel Intel Corporation
Signature	
Date	March 3, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Michael A. Proksch		
Signature		Date	March 3, 2004

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 2,276

Complete if Known

Application Number	09/741,208
Filing Date	December 19, 2000
First Named Inventor	David P. Henzerling
Examiner Name	D. Hess
Art Unit	2876
Attorney Docket No.	P10397

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit Account Number
50-0221Deposit Account Name
Intel Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	25	-20** =	5	x 18	= 90
Independent Claims	4	-3** =		x 86	= 86
Multiple Dependent					

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 176

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	\$1,330
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.128(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.128(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	\$770
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Name (Print/Type)	Michael A. Proksch	Registration No. (Attorney/Agent)	43,021	Telephone	503.264.3058
Signature	<i>Michael Proksch</i>	Date	March 3, 2004		

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PTO/SB/17 (10-03)

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Account
Number
Deposit
Account
Name

50-0221

Intel Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

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SUBTOTAL (2) (\$) 176

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Michael A. Proksch	Registration No. (Attorney/Agent)	43,021	Telephone	503.264.3059
Signature		Date	March 3, 2004		

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PATENT APPLICATION

042390.P10397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David P. Henzerling

Serial No.: 09/741,208

Filed: December 19, 2000

For: **WIRELESS MUSIC DEVICE AND
METHOD THEREFOR**

Mail Stop: RCE

Assistant Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

April 3, 2003

Group Art Unit: 2876

Examiner: D. Hess

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PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination of the above-referenced continuation application, Applicant respectfully requests consideration of the following amendments and remarks, which Applicant verily believes to be fully responsive to the Office Action mailed October 3, 2002. Upon entry of this response, Applicant respectfully requests reconsideration of the above-captioned application.